

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION FOR ADJUSTMENT OF ELECTRIC)
RATES OF KENTUCKY POWER COMPANY) CASE NO. 91-066

O R D E R

On July 9, 1991, the Kentucky Cable Television Association, Inc. ("KCTA") filed a motion requesting the Commission to compel Kentucky Power Company ("Kentucky Power") to produce certain information responsive to KCTA data request Nos. 27, 32, 34, and 35. On July 15, 1991, Kentucky Power filed a response in opposition to KCTA's motion to compel.

Based on the motion and the response, and being otherwise sufficiently advised, the Commission finds that KCTA data request Nos. 27 and 35 seek the details of any negotiations between October 1981 and August 1983 that resulted in the pole attachment rate methodology adopted by the Commission in Administrative Case No. 251.¹ Kentucky Power's response notes that KCTA was a party to Administrative Case No. 251, KCTA had notice of all Commission conferences during which negotiations took place, and KCTA has as much knowledge as does Kentucky Power regarding the pole attachment rate methodology established by the Commission.

¹ Administrative Case No. 251, The Adoption of a Standard Methodology for Establishing Rates for Cable Television Pole Attachments.

Kentucky Power has fully responded to KCTA data request Nos. 27 and 35 and the motion to compel should be denied.

In data request No. 32, KCTA seeks copies of documents reflecting the amounts of reimbursements received by Kentucky Power from joint pole users. Kentucky Power claims that the documents are voluminous, approximating 300 pages, and has offered to make the documents available for inspection at their counsel's offices in Frankfort, Kentucky. Since no party other than KCTA has requested this documentation, the Commission finds that Kentucky Power should provide one copy to KCTA.

In data request No. 34, KCTA asks for the name of the individual responsible for determining certain numbers in Kentucky Power's pole attachment rate methodology. Kentucky Power responded by stating that the methodology was adopted almost 9 years ago and it is not currently aware of the individual's name. The commission finds that Kentucky Power has adequately responded to this request and the motion to compel should be denied.

IT IS THEREFORE ORDERED that KCTA's motion to compel be and it hereby is denied with respect to data request Nos. 27, 34, and 35; and granted for No. 34. Kentucky Power shall provide to KCTA within 7 days of the date of this order one copy of the documents requested in KCTA data request No. 34.

Done at Frankfort, Kentucky, this 22nd day of July, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director